



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

12 February – 23 February 2007

This report summarizes United States regulatory items reviewed by the National Aeronautics and Space Administration (NASA) Principal Center for Regulatory Risk Analysis and Communication (RRAC PC) during the timeframe. Items that appeared to have limited interest to the NASA community, or that are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under “Description.” Related documents and citations, such as “71 *Federal Register* (FR) 51967,” are linked to the appropriate document for quick access. The minimum suggested follow-up actions are noted with significant items; users should be advised that other follow-up actions may be appropriate for their program or facility.

Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

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1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

Tracking No.	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-15	CAA General Conformity	02/12/07	72 FR 6641	Draft Notice; Request for Comments	Federal Aviation Administration, Department of Transportation The CAA requires that all federal actions conform to an applicable SIP. In this Notice, the FAA is proposing categories of actions involving agency approval and financial assistance for airport projects that would be presumed to conform. Comments due 03/29/2007.	Facilities with airstrips should consider reviewing for potential applicability.
Fed-2007-16	TSCA Nanotechnology	02/15/07	72 FR 7435	Notice of Availability	Notice of Availability of the Final Nanotechnology White Paper Announces the availability of the final "Nanotechnology White Paper" (EPA/100/B-07/001, 02/07). The white paper provides the following: <ul style="list-style-type: none"> Basic description of nanotechnology Why EPA is interested in it Potential environmental benefits of nanotechnology Risk assessment issues specific to nanotechnology Discussion of responsible development of nanotechnology EPA's statutory mandates Extensive review of research needs for both environmental applications and implications of nanotechnology Staff recommendations for addressing science issues and research needs and prioritized research needs within most risk assessment topic areas (such as human health effects research or fate and transport research) EPA's Nanotechnology Research Framework The final document is available electronically through the Office of the Science Advisor's website at: http://www.epa.gov/osa/nanotech.htm [FRL-8278-9]. The NASA materials design community may be interested in the ongoing regulatory investigation of the environmental effects of nanomaterials. It is possible that the production and use of these materials may be regulated in the future. For further information, please contact Sharon Scroggins.	NASA programs should be aware that incorporating nanomaterials into new vehicle designs could pose a relatively low risk of materials obsolescence because of possible future regulatory restrictions.
Fed-2007-17	Human Space Flight Crew and Space Flight Participants Requirements	02/20/07	72 FR 7740	Final Rule Correction	Federal Aviation Administration, Department of Transportation Human Space Flight Requirements for Crew and Space Flight Participants [14 CFR Parts 401, 415, 431, 435, 440, and 460] The FAA established Human Space Flight Requirements for Crew and Space Flight Participants, 71 FR 75616 (12/15/2006). In explaining this rule in response to a comment, the FAA characterized the right to bear arms under the Second Amendment of the Constitution as "a collective right." The FAA now withdraws that characterization of the right to bear arms. The prohibition on the carriage of firearms by participants in commercial space flights remains unchanged. Effective 02/20/2007 [Docket No. FAA-2005-23449] RIN 2120-AI57.	

Tracking No.	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-18	NEPA Citizen's Guide	02/21/07	72 FR 7876	Notice and Request for Comments	Council on Environmental Quality CEQ invites comments on the proposed "A Citizen's Guide to the National Environmental Policy Act--Having your Voice Heard." This guide helps citizens and organizations who are concerned about the environmental effects of federal decision making to effectively participate in federal agencies' environmental review process under NEPA. The guide is available from CEQ or at http://www.NEPA.gov in the Current Developments section. Comments due 03/30/2007.	
Fed-2007-19	CWA Copper	2/22/07	72 FR 7983	Notice of Availability	Aquatic Life Ambient Freshwater Quality Criteria--Copper 2007 Revision Announces the availability of the 2007 revised recommended aquatic life ambient freshwater quality criteria for copper. Copies of the criteria document entitled, "Aquatic Life Ambient Freshwater Quality Criteria--Copper 2007 Revision" (EPA-822-R-07-001) may be downloaded from EPA's website at: http://www.epa.gov/waterscience/criteria/copper/index.htm [EPA-HQ-OW-2003-0079; FRL-OW-8280-2].	
Notes: FR = <i>Federal Register</i> CFR = <i>Code of Federal Regulations</i> EPA = U.S. Environmental Protection Agency CAA = Clean Air Act FAA = Federal Aviation Administration					TSCA = Toxic Substances Control Act NASA = National Aeronautics and Space Administration CEQ = Council on Environmental Quality NEPA = National Environmental Policy Act	

1.2 Discussion of Significant Actions and Other Developments

1.2.1 Defense Land Systems and Miscellaneous Equipment (DLSME) National Emission Standard for Hazardous Air Pollutants (NESHAP) Update

The Defense Land Systems and Miscellaneous Equipment (DLSME) National Emission Standards for Hazardous Air Pollutants (NESHAP) will apply to NASA's facilities and ground support equipment (GSE) surface coating and related operations at Centers that are major sources of hazardous air pollutants (HAPs). Major sources of HAPs are those that emit more than 10 tons per year (tpy) of individual HAPs or 25 tpy of combined HAPs. Currently, Marshall Space Flight Center (MSFC) and Kennedy Space Center (KSC) are the only NASA Centers considered major sources of HAPs. It is likely that the rule also will include select applicability for area sources (non-major sources of HAPs) that conduct depainting and autobody refinishing operations.

NASA held a conference call with the U.S. Environmental Protection Agency (EPA) this month and discussed how EPA intends to regulate NASA's activities under this rule. The HAP emissions generated by NASA account for less than 1 percent of the total HAP emissions covered under this rule, which includes U.S. Department of Defense (DoD) surface coating operations. As a result, control measures or material substitution requirements probably would result in small emission reductions. EPA currently does not plan to include HAP content limits for specific NASA coatings under this rule. Although there will be organic HAP limits for certain military specification coatings, NASA's data indicate that usage of these coatings is minimal at NASA Centers. EPA also plans to include language in the draft rule for the use of non-HAP cleaning solvents, unless technical specification documents specifically call for the use of specific organic HAP-containing cleaners.

EPA plans to issue the proposed rule in June 2007 and to finalize the rule in 2008. After a NESHAP is promulgated, affected facilities typically have 3 years to implement its provisions. If the DLSME NESHAP rulemaking remains on schedule, the rule's provisions must be implemented by 2011.

1.2.2 Conferences of Interest

06/25 to 27/2007 [American Water Resources Association \(AWRA\) Emerging Contaminants of Concern in the Environment: Issues Investigations and Solutions](#)
Vail, CO

The goal of this conference is to provide a balanced interdisciplinary forum on emerging chemical and microbial contaminants of concern in the environment.

06/04 to 06/2007 [2007 Federal Environmental Symposium](#)
Bethesda, MD

Open to the federal community. This year, the theme of the symposium is the new Executive Order (EO) 13423–Strengthening Federal Environmental, Energy, and Transportation Management. The purpose of this symposium is to provide and exchange information, and hear from our colleagues and experts about stewardship efforts that will help us succeed in meeting the goals of the EO.

Deadlines:

03/09/2007–Call for Presentations

03/31/2007–Exhibitor Applications

04/01/2007–Attendee Registration

05/07/2007–Speaker Presentations and Bios

1.3 Status of Selected Continuing Actions in Progress

This section illustrates the status of selected actions the RRAC PC is actively tracking. Imminent actions are shown in red text. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	08/07	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to facilities and non-flight hardware.
Final Action	08/08			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM	09/07	CAA: Continued Use of ODS in Mission-Critical Applications	Pre-rule	Space vehicle operational impacts.
Final Action	01/09			NASA is currently in discussions with EPA regarding options to enable future use of relatively small quantities of ODSs for mission-critical applications. Latest discussions suggest that future production of ODSs will require the certified destruction of other, existing ODSs (contaminated, etc.), with an offset of approximately 15 percent (tentative).
ANPRM	01/07	CAA: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
NPRM	06/07			Evaluation of residual risk remaining after implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
Final	06/08			

Significant Dates			Subject Action [RIN]	Type of Action	Comments
NPRM	01/03/07	72 FR 69	NESHAP General Provisions – Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Comments Due	03/05/07				KSC and MSFC currently are major sources of HAPs; MAF recently attained “synthetic minor” status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also will require any facility switching from major source to area source status to comply with any applicable area source regulations.
Final Action	12/07				
NPRM	03/07/06	71 FR 11483	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	12/07				Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing perfluoroalkyl sulfonates (PFAS); perfluoroalkyl carboxylates (PFAC); fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.
NPRM	03/10/06	71 FR 12311	SNUR: Perfluoroalkyl Sulfonates [2070-AJ18]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	05/07				Rule would limit or eliminate uses of PFAS, a family of chemicals used as additives, waterproofing agents, etc. The rule would effectively allow the use of PFAS chemicals only as components of aviation hydraulic fluids; photoresist substances; anti-reflective coatings; coatings for surface tension, static discharge, and adhesion control related to imaging applications; or as a chemical intermediate. SSP Orbiter tile waterproofing materials previously incorporated a PFAS additive, but have been replaced. It is unknown whether regulating additional PFAS-related chemicals would affect other operational materials.
NPRM	08/11/06	71 FR 46144	DEA: Iodine [1117-AA93]	Proposed Rule	Possible space vehicle materials impacts.
OMB Review	OMB received draft 02/01/07				The DEA is proposing to change the way iodine and its mixtures are regulated due to its uses related to illicit drug manufacturing. The rule would require additional controls and facility licensing for purchase, transport, and storage of iodine and mixtures containing more than 2.2-percent iodine. The space suits and International Space Station use such products for water disinfection and could have supply chain impacts in the future.
Final Action	04/07				

Notes:

NPRM = Notice of Proposed Rulemaking
 ANPRM = Advance Notice of Proposed Rulemaking
 NESHAP = National Emission Standards for Hazardous Air Pollutants
 NASA = National Aeronautics and Space Administration
 GSE = Ground support equipment
 CAA = Clean Air Act
 ODS = Ozone depleting substances
 EPA = U.S. Environmental Protection Agency
 MAF = Michoud Assembly Facility

VOC = Volatile organic compound
 FR = *Federal Register*
 KSC = Kennedy Space Center
 MSFC = Marshall Space Flight Center
 SNUR = Significant new use rule
 SSP = Space Shuttle Program
 DEA = Drug Enforcement Administration
 HAP = Hazardous air pollutant
 OMB = Office of Management and Budget

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2007

The Clean Air Act Working Group (CAAWG) will hold telecons on the following Wednesdays in 2007 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 21 March 2007
- 18 April 2007
- 20 June 2007
- 18 July 2007
- 15 August 2007
- 19 September 2007
- 17 October 2007
- 14 November 2007
- 19 December 2007

2.0 State Regulatory Reviews

The following sections provide details of regulatory actions reviewed for each state in which NASA facilities are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL-2007-04	Water Toxic Pollutant Criteria	01/31/07	Alabama Administrative Monthly Volume XXV, Issue No. 4	Proposed Rule	335- Alabama Department of Environmental Management 6–Water Quality 10–Water Quality Criteria 07 Proposed change would amend Rule 335-6-10-.07 (Table 1) to specify the correct form of mercury and selenium criteria. This specification unintentionally was omitted from revisions to the state's toxic pollutant criteria, which were adopted by the Environmental Management Commission (EMC) on 12/03/04.	National Aeronautics and Space Administration (NASA) facilities should consider reviewing for applicability.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-09	Air Attainment	02/14/07	40 CFR Parts 52 and 81	Proposed Rule	Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes: California The U.S. Environmental Protection Agency EPA proposes to redesignate the South Coast from nonattainment to attainment for the carbon monoxide (CO) National Ambient Air Quality Standards (NAAQS). EPA also proposes to approve a state implementation plan (SIP) revision for the South Coast nonattainment area in California as meeting the Clean Air Act (CAA) requirements for maintenance plans for CO. EPA proposes to approve and find adequate the motor vehicle emission budgets that are included in the maintenance plan. Finally, EPA proposes to approve the California motor vehicle inspection and maintenance (I/M) program as meeting the low enhanced I/M requirements for CO in the South Coast. Comments are due 03/16/07.	National Aeronautics and Space Administration (NASA) facilities should review for applicability.
CA-2007-10	Air Particulate Matter Concentration	02/12/07	Final Rule 404.1	Final Rule	Kern County Air Pollution Control District. Rule 404.1 Particulate Matter Concentration Requires that particulate matter emissions not exceed 0.1 grains per standard cubic foot of gas at standard conditions (gr/scf). Applies to any person who discharges particulate matter emissions into the atmosphere from any single source operation. Ruling may affect Dryden Flight Research Center (DFRC), located in Kern County.	DFRC should be aware of these changes to Kern County air regulations.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-11	Air Propellant Combustion and Rocket Testing	02/12/07	Final Rule 431	Final Rule	Kern County Air Pollution Control District. Rule 431. Propellant Combustion and Rocket Testing. Applies to open-air rocket propellant combustion operations conducted on rocket test stands. Combustion of rocket propellants may be conducted at a permitted test stand when there is an Air Pollution Control Officer (APCO)-approved Rocket Test Plan, if the meteorological conditions are met. Operations also can be conducted without a Rocket Test Plan, provided that the rocket propellant mass is less than or equal to 500 pounds for a solid rocket motor or hybrid rocket motor, and less than or equal to 1,000 pounds for a rocket engine, and The Air Resource Board (ARB) has designated the day a permissible burn day. The operator shall submit a rocket testing plan to the District every 2 years for rocket test stand operations.	DFRC should be aware of these changes to Kern County air regulations.

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-06	Hazardous Waste	02/16/07	62-730.020 FL Adm. Weekly (FAW) 02/16/2007- Vol. No. 33/7	Proposed Rule	Chapter 62 Department of Environmental Protection 73–Hazardous Waste Proposed change would incorporate by reference the changes made by the U.S. Environmental Protection Agency (EPA) between 07/01/05 and 06/30/06 to the federal hazardous waste regulations. The Florida Department of Environmental Protection (FDEP) must adopt changes that make state rules equivalent to and consistent with the existing federal regulations every year. The amendments serve the purpose to adopt by reference federal hazardous waste regulations revised as of 07/01/06 instead of adopt by reference 40 <i>Code of Federal Regulations</i> (CFR) Part 261 revised as of 07/01/05.	
FL-2007-07	Water Whole Effluent Toxicity Compliance Limits	02/16/07	FAW 02/16/07 Vol./ No. 33/7	Notice Workshop	Chapter 62 Department of Environmental Protection 302–Surface Water Standards; Chapter 62 Department of Environmental Protection 4–Permits; Chapter 62 Department of Environmental Protection 620–Wastewater Facility Activities and Permitting FDEP is holding a workshop to discuss updates to its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards), Florida Administrative Code (F.A.C.); new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits), F.A.C.; and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting), F.A.C. The purpose of the proposed revisions and additions is to more closely match EPA's requirements for whole effluent toxicity testing and to clarify existing whole effluent toxicity test procedures. Date: 03/06/07, 1:00 p.m.; to be held at FDEP, Bob Martinez Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, Florida.	Kennedy Space Center (KSC) should be aware of these changes and the opportunity for further discussion at this workshop.

2.4 Hawaii State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Hawaii.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
HI-2007-01	EIS Rules Department of Health (DOH)	02/13/07	Hawaii Adm. Rules (HAR) Title 11 Chapter 200	Final Rule	<p>Title 11 Chapter 200 Environmental Impact Statement (EIS) Rules</p> <p>An updated version of HAR 11-200 EIS Rules was issued. Effective date is 02/13/07. These rules were edited and revised based on proposed changes made to DOH Administrative Rules in 1996.</p> <p>The update is unlikely to affect current National Aeronautics and Space Administration (NASA) operations in the state. However, NASA should consult the updated version of the EIS rules when planning for future programs and other actions.</p>	National Aeronautics and Space Administration (NASA) facilities should be aware of the specified changes.

2.4.1 Other Information: Hawaii Joins EPA's Clean Energy-Environment State Partnership

On 12 February 2007, the State of Hawaii joined 14 other states in EPA's Clean Energy-Environment State Partnership and agreed to work with EPA in developing its own state-specific Clean Energy-Environment State Action Plan to reduce greenhouse gas emissions.

Through the Partnership, member states work with EPA to develop strategies to promote cost-effective energy efficiency, clean distributed generation (consumers generating heat and electricity for their own needs via onsite production), renewable energy, and other clean energy sources that can provide air quality and other benefits. Hawaii currently imports most of its fuel, but hopes to reduce its dependence on these imports through increasing energy efficiency and using renewable energy sources.

The other states in the partnership are California, Colorado, Connecticut, Georgia, Massachusetts, Minnesota, New Jersey, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Texas, and Utah. For more information, see EPA's Clean Energy-Environment State Partnership website at <http://epa.gov/cleanenergy/stateandlocal/partnership.htm>.

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-04	Hazardous Materials Reportable Quantities	02/20/07	LA Adm. Code (LAC) 33	Notice of Intent	<p>Part I Subpart 2 Chapter 11 Subchapter E. 3931 Reportable Quantity for Pollutants</p> <p>Except as provided in Subsection B, the following have been incorporated by reference of federal regulations:</p> <ul style="list-style-type: none"> 40 CFR 117.3, 07/01/2006, Table 117.3 40 CFR 302.4, 07/01/2006, Table 302.4 	National Aeronautics and Space Administration (NASA) facilities should be aware of regulations update.
LA-2007-05	Hazardous Waste Boilers and Industrial Furnaces	02/20/07	LAC 33	Notice of Intent	<p>Part V Subpart 1 Chapter 30 3099.Appendices</p> <p>40 <i>Code of Federal Regulations</i> (CFR) 266, Appendices I through XIII, 07/01/06 have been incorporated by reference into Appendices A through L.</p>	NASA facilities should be aware of regulations update.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-06	Radiation Transportation of Radioactive Material	02/20/07	LAC 33	Notice of Intent	Part XV Chapter 15 1517 – Incorporation by Reference 10 CFR Part 71, Appendix A, 01/01/2006 will be incorporated by reference.	NASA facilities should be aware of regulations update.
LA-2007-07	Water Quality LPDES	02/20/07	LAC 33	Notice of Intent	Part IX Subpart 2 Chapter 23 2301–General Conditions Incorporates the following by reference: <ul style="list-style-type: none"> 40 CFR 136, Guidelines for Establishing Test Procedures for the Analysis of Pollutants, 07/01/006. 40 CFR Chapter I, Subchapter N, Effluent Guidelines and Standards, Parts 401, 405-415, and 417-471, 07/01/06. 	NASA facilities should be aware of regulations update.

2.6 Maryland State Regulatory Review

No items of interest were identified during this reporting period for Maryland

2.7 Mississippi State Regulatory Review

No items of interest were identified during this reporting period for Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM-2007-05	Surface Water Antidegradation Policy	02/14/07	NM Adm Code (NMAC) 20.6.4	Proposed Rule Revision	<p>Proposed Rule Revision [Standards for Interstate and Intrastate Surface Waters; Antidegradation Policy]</p> <p>The New Mexico Environment Department (NMED) proposes to amend 20.6.4 NMAC by adding a definition and to amend Paragraph (3) of Subsection A of 20.6.4.8 NMAC.</p> <p>The amendments will allow temporary and short-term water quality degradation to occur under limited circumstances in waters designated as Outstanding Natural Resource Waters. A public hearing will be held 04/10/07 in Santa Fe, New Mexico. More information regarding the proposed rule can be found using the following links:</p> <ul style="list-style-type: none"> New Mexico Register Volume XVIII, Issue Number 3 (Published 02/14/07) NMED webpage: http://www.nmenv.state.nm.us/swqb/Standards/. 	The National Aeronautics and Space Administration (NASA) and the White Sands Test Facility (WSTF) should be aware of the proposed rule revision.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking No.	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
OH-2007-08	Air Emission Reporting	02/21/07	OH Adm Code (OAC) 3745-78-02	Notice Reminder	<p>Calendar Year (CY) 2006 Emission Reporting Reminder Letters</p> <p>The Ohio Environmental Protection Agency (EPA) Division of Air Pollution Control (DAPC) has issued Reminder Letters regarding the "Requirement to Submit Completed Emissions Reports for Calendar Year 2006 by 04/16/07:</p> <ul style="list-style-type: none"> Letter for facilities in attainment counties (no emissions statement required) Letter for facilities in non-attainment counties (emissions statement required) Important information in Reporting and Invoicing Sources of Condensable and Filterable Matter Emissions. <p>The Ohio EPA DAPC requires that facilities subject to Title V permitting and emissions reporting must submit the appropriate report to the agency by 04/16/07.</p>	National Aeronautics and Space Administration (NASA) facilities should be aware of the reporting schedule.
OH-2007-09	Groundwater Groundwater Monitoring Fees	02/12/07	OAC 3745-520-50	Notice	<p>Groundwater Monitoring Fees at Construction and Demolition Debris Facilities</p> <p>Proposes to levy a 5-cent-per-cubic-yard or 10-cent-per-ton fee on the disposal of construction and demolition debris at a construction and demolition debris facility, to be used to fund and conduct groundwater monitoring of these facilities by the licensing authority. The public comment period ends 03/19/07.</p> <p>These proposed rules would levy a fee on construction and demolition debris sent to a construction and demolition debris facility.</p>	NASA facilities should be aware of these proposed requirements for operations that generate construction and demolition debris.
OH-2007-10	Hydrostatic Test Water General Permit	02/21/07	OAC 3745-1	Notice	<p>Ohio EPA Develops a Draft General Permit to Cover Hydrostatic Test Water Discharges</p> <p>Ohio EPA will hold a public hearing to discuss a draft general discharge permit that would regulate short-duration discharges of hydrostatic test water and water supply system water from facilities in the State of Ohio. The draft general permit contains monitoring requirements and limits on pollutants. Date of Public Hearing: 02/27/07</p>	

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Texas.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-06	Air General Air Quality Rules	02/23/07	32 TexReg 713	Proposed Rules	Revision of Chapter 101, General Air Quality Rules Texas Council on Environmental Quality (TCEQ) proposes amendments to §§101.1, 101.23, 101.302, 101.306, 101.350, 101.351, 101.353, 101.354, 101.360, 101.372, 101.376, 101.383, and 101.385 and the repeal of §101.22. TCEQ has proposed revisions to 30 Texas Administrative Code (TAC) 117, Control of Air Pollution from Nitrogen Compounds, as part of the State Implementation Plan (SIP) for the Houston-Galveston-Brazoria (HGB) and Dallas-Fort Worth (DFW) nonattainment areas. Under those revisions, Chapter 117 would be reorganized. Chapter 101, General Air Quality Rules, contains references to sections of Chapter 117 that are changing due to the reorganization. This proposal also includes revisions identified during the last review of Chapter 101, including changes to the definitions of visible emissions, cold solvent cleaning, conveyorized degreasing, open-top vapor degreasing, high-volume low-pressure spray guns, and standard conditions . Other proposed changes would delete the definitions of hazardous waste management facility and hazardous waste management unit, add a definition for nitrogen oxides, update references to include the correct title of the commission, and remove an obsolete effective date section. Public hearing to be held 03/20/07. Comments due on 03/26/07.	National Aeronautics and Space Administration (NASA) facilities should be aware of the proposed changes and the public hearing.
TX-2007-07	General Electronic Reporting	02/23/07	32 TexReg 903	Adopted Rules	Electronic Reporting [§§19.1, 19.3, 19.10, 19.12, and 19.14] Adopts new rules to implement the EPA's new Cross Media Electronic Reporting Rule (CROMERR) (70 Federal Register /FRI 59848 , 10/13/05), which became effective 01/11/06. States must seek U.S. Environmental Protection Agency (EPA) approval to accept electronic documents for environmental programs that EPA has delegated, authorized, or approved states to administer in accordance with CROMERR. Because CROMERR affects the TCEQ's authorized programs, creating 30 TAC 19 to apply to all of those programs minimizes the need to revise rules for every authorized program now and in the future if EPA amends CROMERR. The rules establish a system for authorized programs to accept electronic submittal of reports, permit applications, and other specified documents using the TCEQ's electronic document receiving system. These rules establish that a person, as defined in 30 TAC §3.2(25), <i>Definitions</i> , who fails to comply with electronic reporting procedures will be subject to the same level of enforcement as one who fails to submit written documents as required. Effective 03/01/07.	NASA facilities should be aware of the electronic reporting requirements.

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Virginia.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA-2007-05	Air Mercury Emissions	02/19/07	Public Notice for Air Regulation	Proposed Rule	Mercury Emissions Reduction The State Air Pollution Control Board is considering regulations to reduce the emissions of mercury. Comments are due 03/21/07.	
VA-2007-06	Air State Implementation Plan	02/08/07	Public Notice for Air Plans and Programs	Proposed Rule	Case-by-Case Reasonably Available Control Technology (RACT) for major stationary sources. The proposed revision would amend existing regulations concerning case-by-case RACT for major stationary sources to: <ul style="list-style-type: none"> Implement federal RACT requirements for 8-hour ozone nonattainment areas and areas located in the Ozone Transport Region Restructure and recodify the regulations for clarity. Comment period ends 03/13/07. A public hearing also will be held 03/13/07.	National Aeronautics and Space Administration (NASA) facilities should be aware of the proposed changes and the public hearing opportunity.
VA-2007-07	Occupational Exposure Hexavalent Chromium	02/19/07	Virginia Register, Vol. 23, Issue 12, page 1996	Regulation Update	Incorporation of Federal Regulatory Updates into the Virginia Administrative Code Federal Occupational Safety and Health Administration (OSHA) has corrected errors in 29 <i>Code of Federal Regulations</i> (CFR) 1910, 1915, and 1926 regarding exposure to hexavalent chromium. On 12/06/06, the Virginia Safety and Health Codes Board adopted these corrections. The effective date is 03/21/07.	NASA facilities and programs should be aware of this change to Virginia's CrVI exposure regulations.
VA-2007-08	Occupational Exposure Respiratory Protection Standard	02/19/2007	Virginia Register, Vol. 23, Issue 12, page 1997	Regulation Update	Incorporation of Federal Regulatory Updates into the Virginia Administrative Code Federal OSHA has revised the existing Respiratory Protection Standard to add definitions and requirements for Assigned Protection Factors (APFs) and Maximum Use Concentrations (MUCs). Federal OSHA amended 29 CFR 1910.134. On 12/06/06, the Virginia Safety and Health Codes Board adopted these corrections. The effective date is 03/21/07.	NASA facilities should be aware of the regulatory changes.